McCullough Ginsberg Montano & Partners

A Limited Liability Partnership Formed in the State of New York

Partners

Ted McCullough, Esq. ' Simon Ginsberg, Esq. James S. Montano, Esq. "1" C. Dino Haloulos, Esq. Admitted in NY † Admitted in NJ

Admitted in PA

Of Counsel

Jason Liam Schmolze, Esq. Damon Kamvosoulis, Esq. Michele J. Mittleman, Esq.

<u>Associates</u>

Kara Halpern, Esq. * Robert B. Lower, Esq. * Patrick Lynott, Esq. *†

Robert B. Lower Direct: (646) 747-6895 rlower@mgpllp.com

January 29, 2020

VIA FACSIMILE

Hon. Nelson S. Román United States District Judge United States Courthouse 300 Quarropas Street, Courtroom 218 White Plains, NY 10601

Application denied. Motion is fully submitted. Dated: Jan. 31, 2020

SO ORDERED:

Re:

William Gunnar Truitt v. Salisbury Bank and Trust Company, et.ål.

Index No. 7:18-cv-08386-NSR

HON, NELSON, S. ROMÁN

UNITED STATES DISTRICT JUDGE

Dear Judge Román:

Pursuant to the Court's ability to provide any party with an opportunity to address another party's assertion of fact, as established by Fed. R. Civ. P. 56(e)(2), and the Local Rule 56.1(b) requirement for a "correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party," we respectfully request leave to amend Plaintiff's January 10, 2020 declaration in response to Defendants' Statement of Undisputed Material Facts (Ex. 16 to Plaintiff's Opposition) to include each paragraph from Defendants' Rule 56.1 Statement with responses directly beneath them. Plaintiff would be able to serve and e-file an amended copy of that declaration by Friday January 31, 2020. Finally, to the extent permitted by the Court's docket, Plaintiff respectfully requests oral argument regarding Defendants' Motion for Summary Judgment.

USDC SONY

Sincerely,

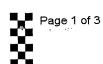
Robert B. Lower

MCCULLOUGH GINSBERG MONTANO & PARTNERS LLP

Page 2 of 2

122 East 42nd Street, Suite 3505 New York, New York 10168 Phone: (646) 747-6895 rlower@mgpllp.com Counsel for Plaintiff

cc: Ted McCullough and Jim Coughlan (counsel for Mr. Truitt)
Jennifer I. Fischer and Amber M. Spataro (counsel for Defendants)



FAX COVER SHEET

ТО		-	
COMPANY			
FAX NUMBER	19143904179		
FROM	Theodore McCullough		
DATE	2020-01-2921:05:42 GMT		
RE	Fax to Hon Roman		

COVER MESSAGE

Please see the attached for faxing.

Carleen A. Hall
Paralegal
McCullough Ginsberg Montano & Partners LLP
122 East 42nd Street, Suite 3505
New York, NY 10168
Direct (646) 747-4681
Main (646) 435-0300
Fax (646) 349-2217
www.mgpllp.com